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				TO : Department of State INFO : AmEmbassy, BOGOTA USCINCSO							
				FROM : AmEmbassy, Caracas				DATE: May 17, 1971			
				SUBJECT : Gulf of Venezuela: An AD Geographer's View							
				REF :							
				An AD Deputy and noted geographer Ruben CARPIO Castillo has published a small volume entitled <u>El Golfo de Venezuela</u> (Ediciones Del Congreso de la Republica, Caracas, 1971) which summarizes Venezuela's claims in the Gulf of Venezuela.*							
				It is a brief but clear statement of the Venezuelan rationale. Carpio is not a member of the government and his views are not official, but he is close to the lawyers and diplomats who have been negotiating with Colombia for Venezuela and he is a member of the Chamber Foreign Affairs Committee whose Chairman is a member of Venezuela's negotiating team. Moreover, the book was published by the Venezuelan Congress.							
				* One copy of the book is enclosed, others have been sent under separate cover to Embassy, Bogota, INR/P and ARA/NC.							
				Enclosure: <i>att-vi</i>							
				One copy of <u>El Golfo de Venezuela</u>							
				GROUP 5 Declassified following May 15, 1972.							
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Carpio has the professional knowledge about the Law of the Sea, geography and the history of Venezuela's border problems to enable him to speak with considerable authority.

Book Summary. The book is in three parts; the first two parts deal with basic background information on the Law of the Sea with regard to Territorial Seas and Continental Shelf. Only the third part deals specifically with Venezuela's claims in the Gulf. It is basically the text of a lecture delivered by Carpio at the Pedagogical Institute in Caracas earlier this year. Carpio introduces this third chapter with a quote from a Chinese proverb: "All peoples are your family therefore prepare to have problems with them." He then makes the following basic points:

-- Importance. Venezuela's two vital waterways are the Gulf of Venezuela and the Orinoco River. But both have been encroached on by neighbors as a result of unfavorable international decisions.

-- Historical Gulf. The Gulf of Venezuela has "historically" been Venezuela's waters. Carpio cites documents from the 16th and 17th Century to support his claim that during this period the dividing line between Colombia and Venezuela had been down the middle of the Guajira Peninsula (thereby permitting Colombia no shore on the Gulf). He then briefly describes the background of the Michelena-Pombo Treaty in 1833 in which Colombia fully recognized the Gulf as Venezuelan but the Venezuelan Congress in its ignorance failed to ratify the treaty which gave all the territory on the Gulf to Venezuela.

-- Geopolitics. Geopolitically the Gulf is Venezuelan. Venezuela has its second major city on the Gulf; it has several ports on the Gulf, the main trading artery for oil rich Lake Maracaibo passes through the Gulf, the fishing is in the Gulf, etc. While Colombia has no important interests on the Gulf coast or in the Gulf itself.

-- Demarcation. In discussing the basic differences between the Venezuelan and Colombian claims in the Gulf, he points out that the

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Venezuelan proposal of prolonging the land border is not to be discarded easily since that very principle is the one held by some Colombian lawyers to define the territorial seas and shelf between Panama and Colombia in the Gulf of Darien or of Uraba. He then adds that the minimum Venezuelan position would be a line drawn parallel across the Gulf from Point Castilletes. He proposed that a compromise line might be the line bisecting the angle of the "prolongation line" and the "parallel line."

-- International Interests. He ends on an ominous note. He refers to the problem in the negotiations and then warns of the dangers of listening "to the blandishments and criminal offers of arms' merchants and other unconfessed international interests that propose a war between two brothers." He said that Colombia seems to have listened to these voices in its granting a petroleum contract in an area still in dispute. He also says that "great economic interests" that oppose integration and cooperation between two brother countries and who oppose the Andean Pact must be delighted about the split between Colombia and Venezuela.

-- Friendship, But: He concludes in saying that Colombia and Venezuela must listen to each other in friendship but adds that Venezuelan Armed Forces are strong enough to defend Venezuela's sovereignty.

CARPIO's Personal Views. After reading the book, the reporting officer had an opportunity to discuss it at length with Carpio. Several important points came out of the discussion:

✓ -- Historical, But Not Historic Bay. When asked whether Venezuela intended to claim that the Gulf was an "historic bay" in the international legal sense, Carpio said emphatically no. He said that AD negotiators and present GOV negotiators were well aware that such a claim would not hold up in international law and he, for his part, was convinced that such a claim would not formally be made. Carpio stressed that in his book he had developed the historical and traditional rights Venezuela has to the Gulf but had not and would not extend this to include a legal claim to it as an "historic bay."

-- Line of Demarcation. Carpio said that he had seen copies of letters exchanged between Presidents LEONI and LLERAS on the subject of the dividing line in the Gulf. Leoni's (and AD's) position had been that Venezuela would not even consider negotiating below the parallel line across from Los Castilletes, but Leoni had not claimed that the parallel line should be the demarcation line. Now the Caldera Government has claimed the prolongation of the land border as the line for marking the upper limit

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of Venezuela's waters. Carpio, who claims this is actually the brain-child of former AD Foreign Minister and now Chamber Foreign Affairs Committee Chairman, Dr. Marcos FALCON Briceño, says that the "prolongation" line is absurd, since as the border approaches the shore it curves down thus making the actual prolongation line head south in the center of the Gulf.

-- GOV Handling of Dispute. Carpio was highly critical of the Venezuelan Government legal and political competence in handling the dispute. He said that the members of the Venezuelan negotiating team went to negotiations unprepared and unknowledgeable about the legal implications of their positions. He also believed that President Caldera's recent visit to Los Monjes islands was unnecessary and amounted to a direct challenge to Colombia. First there has not been any argument over Venezuela's Los Monjes islands. By the President's trip there as an "act of sovereignty" he indicated that Venezuela might have some doubts. Secondly, the visit just provoked the Colombians and made difficult negotiations virtually impossible. Carpio maintains that AD politicians, who are closer to Colombians than the Copeyanos, would never have permitted relations between the two countries to deteriorate to where they are today. AD, he argues, would have found some common ground, including entering the Andean Pact, on the basis of which to work and make the issues in the Gulf appear less vital.

COMMENT: There is little doubt that AD is increasingly worried about relations with Colombia. But whether they really would have handled them any better is another matter. One must remember that after all it was an AD government that planned and nearly carried out military action against Venezuela's other neighbor, Guyana, at the time of the Rupununi "uprising."


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